## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION 3:12-cr-188-FDW-DSC-28

| UNITED STATES OF AMERICA, | )      |              |
|---------------------------|--------|--------------|
| Plaintiff,                | )      |              |
| VS.                       | )<br>) | OPPER        |
| PERRY GORONTENT WILLIAMS, | )      | <u>ORDER</u> |
| Defendant.                | )      |              |
|                           | )      |              |

**THIS MATTER** comes before the Court on Defendant's *pro se* Letter that is construed as a Motion [Doc. 1187] seeking a copy of the trial transcript, and Motions to Compel Defense Counsel to Surrender the Case File [Docs. 1217, 1284].

On June 10, 2022, the Court ordered the Defendant's former appellate lawyer to respond to the Defendant's Motions seeking a copy of the trial transcript [Doc. 1187] and the Motion to Compel [Doc. 1217] in which Defendant claimed that appellate counsel failed to provide him with records he required to file a Motion to Vacate pursuant to 28 U.S.C. § 2255. See [Doc. 1283 (Order)]. On July 2, 2022, appellate counsel filed a Response stating that he will forward the requested appellate documents, including the trial transcripts and joint appendix, to the Defendant as soon as those voluminous records may be printed from counsel's electronic format. [Doc. 1285].

The Defendant has now filed a Motion to Compel in which he claims that "defense counsel" has refused to "surrender the complete case/work file." [Doc. 1284 at 3]. Defense counsel will, therefore, be ordered to respond to the Motion within 21 days of this Order.

IT IS, THEREFORE, ORDERED that Richard H. Tomberlin shall respond to the

Defendant's pending Motions [Docs. 1187, 1217, 1284] no later than **twenty-one** (**21**) **days** of this Order. The Defendant may file a Reply within **seven** (**7**) **days** of counsel's response.

The Clerk is respectfully instructed to mail a copy of this Order to the Defendant at his address of record, and to Richard H. Tomberlin, 428 E. Fourth St., Suite 101, Charlotte, NC 28202.

Signed: August 2, 2022

Frank D. Whitney

United States District Judge